

Board of Selectmen Meeting
Tuesday, November 26, 2013

A meeting of the Rockport Board of Selectmen was held on Tuesday, November 26, 2013 with five selectpersons, the Town Administrator and the Asst. to the Town Administrator. Selectperson Sheedy left the meeting at 8:20 pm.

6:46 Meeting Called to Order

Executive Session – Litigation and Confidential Information: Selectperson Lucas moved that the Board of Selectmen enter Executive Session under MGL Chapter 30A, §21(a) for Exception #3: to discuss strategy with respect to pending litigation and Exception #10 to discuss confidential information, seconded by Selectperson Sheedy, Roll Call Vote, Chairperson Battistelli – aye, Selectperson Lucas – aye, Selectperson Murphy – aye, Selectperson Sheedy – aye, Selectperson Wilkinson not present, Vote: 4-0.

Executive Session

Motion Approved

Chairperson Battistelli: “We are entering executive session because, by not doing so, it would be detrimental to the Town’s litigating position. We will reconvene in Open Session.”

7:05 Pledge of Allegiance and Moment of Silence

Approval of Minutes of November 12, 2013: Selectperson Lucas moved that the Board of Selectmen approve the minutes of November 12, 2013, seconded by Selectperson Murphy, Vote: 5-0.

Approval of
11/12/13 minutes
Motion Approved

Selectmen Updates and Liaison Reports: Selectperson Murphy said he was sorry to have to leave the Long Beach selectmen meeting on lease agreements. He said he wished to thank the board and the staff at town hall. He said many e-mails, letters, etc., have been received regarding the Long Beach leases. He stated that this is a difficult subject, and no one is completely happy about the outcome. He thanked the board for their transparency, and stated that the vote on the lease agreement was not unanimous.

Selectmen Updates
and Liaison
Reports

Add item to the agenda: Acceptance of the property gift of Zero South Street. Selectperson Murphy moved to add a motion to the agenda on Zero South Street, seconded by Selectperson Sheedy, Vote: 5-0.

Add item to agenda
Zero South Street

Public Comment Period: T. Arsenian, 95 Granite Street, said he would like to talk about the Scout Hall Lease, the Finance Committee presentation, the alcohol licenses, and appointments of town committees. He said that town committees are very important and candidates should attend the Board of Selectmen meeting. The public should see the candidates and have the opportunity to meet them.

Public Comment
Period

Chairman Battistelli said that it is always the effort for the Board of Selectmen to meet candidates for committees. Selectperson Murphy said he questions, when it’s a reappointment, if the Board really needs to meet the candidates again. Selectperson Wilkinson said if someone is essential to a committee to make a quorum, it’s important to move forward and not delay the appointment.

Jill Solomon said she went to the Rights of Way committee last night and that was the only way she heard she needed to be here tonight. She stated that she lives on High Street and has been in town for 3-4 years.

7:20 Action List

Action List

Appointment to
Town Art Committee
Motion Approved

Appointment of Rosemary Pillarella to the Town Art Committee: Selectperson Sheedy moved that the Selectmen appoint Rosemary Pillarella as a member of the Town Art Committee for a one year term to expire on June 30, 2014, seconded by Selectperson Murphy; Vote: 5-0.

Appointment to
Cultural Council
Motion Approved

Appointment of Shirley Christenson to the Cultural Council: Selectperson Wilkinson moved that the Selectmen appoint Shirley Christenson as a member of the Cultural Council for a three year term to expire on June 30, 2016, Selectperson Murphy seconded; Vote: 5-0.

Appointment to
Rights of Way
Committee
Motion Approved

Appointment of Jill Solomon to the Rights of Way Committee: Selectperson Murphy moved that the Selectmen appoint Jill Solomon as a member of the Rights of Way Committee for a three year term to expire on June 30, 2016, Selectperson Wilkinson seconded; Vote: 5-0.

Appointment of
Treasurer/Collector
Operations Assistant
Motion Approved

Appointment of Tristan Hoare as Treasurer/Collector Operations Asst. Selectperson Lucas moved that the Selectmen appoint Tristan Hoare as the Treasurer/Collector Operations Assistant effective November 27, 2013 with the understanding that he obtain a class D driver's license to fulfill that requirement of the job, seconded by Selectperson Murphy, Vote: 5-0. M. Vieira stated that 40 applications were received when the position was posted, four candidates were interviewed, and this candidate was chosen as the best candidate.

Certification of
Population Estimate
for the ABCC
Motion Approved

Certification of Population Estimate for the ABCC: Selectperson Sheedy moved that the Board of Selectmen estimate the temporary increased resident population of Rockport as of July 10, 2014 to be 13,000, seconded by Selectperson Wilkinson, Vote: 5-0.

On premise Liquor
License Renewal for
Emerson Inn
Motion Approved

Annual Liquor License Renewals: Selectperson Wilkinson moved that the Selectmen approve the on premise liquor license renewal for the Emerson Inn by the Sea for 2014, seconded by Selectperson Murphy seconded, Vote: 5-0.

T. Arsenian, 95 Granite Street, said the approval process is long; it involves inspections by the building inspector, the fire chief, and the Board of Health. He recommends someone checking within one month before it's renewed, as no one checks after the initial inspection.

On premise Liquor
License Renewal for
Rockport Music
Motion Approved

Selectperson Murphy moved that the Selectmen approve the on premise liquor license renewal for Rockport Music for 2014, seconded by Selectperson Sheedy, Vote: 5-0.

On premise Liquor
License Renewal for
7th Wave Restaurant
Motion Approved

Selectperson Lucas moved that the Selectmen approve the on premise liquor license renewal for the 7th Wave Restaurant for 2014, seconded by Selectperson Murphy, Vote: 5-0.

On premise Liquor
License Renewal for
Yankee Clipper Inn
Motion Approved

Selectperson Sheedy moved that the Selectmen approve the on premise liquor license renewal for the Yankee Clipper Inn for 2014, seconded by Selectperson Lucas, Vote: 5-0.

Eden Road Order of Betterment Assessments: Selectperson Wilkinson moved that the Board of Selectmen assess betterments to those parcels of land listed on the Eden Road

Reconstruction Project Order of Betterment Assessments for the improvements made to that section of Eden Road that was accepted as a public road by the Town of Rockport under Article L of the April 2, 2011 Annual Town Meeting, seconded by Selectperson Sheedy, Vote: 5-0.

Action List:
Continued

Eden Road Order
of Betterment
Assessments
Motion Approved

J. Parisi, DPW Director, stated that the amount of \$574,000 for both the private and public sections. The private section cost \$269,000; the betterment is \$126,000 of that cost. That amount was assessed back to those residents. The non-developed properties were assessed \$380 and the developed properties were assessed \$3865. J. Parisi said if they pay the bill within 30 days; it's interest free. He said they also can spread it out over 20 years with interest.

Lease for Scout Hall: Selectperson Murphy moved that the Board of Selectmen approve and sign a ten year lease for Scout Hall with the Rockport Friends of Scout Hall, Inc. of 47 Mt. Pleasant Street for an annual rent of \$200.00, seconded by Selectperson Sheedy, Vote: 5-0.

Lease for Scout
Hall
Motion Approved

T. Arsenian, 95 Granite Street, said this is a good cause; he is in favor of the 10 year lease. He stated when the rent is less than market rates, there should be a public statement as to why the town is foregoing the money; he said this should apply to the Legion and Yacht Club as well.

Jeff Amero, 10 Curtis St, was representing the Rockport Friends of Scout Hall, Inc. He said the facility hosts approximately 140-150 events each year. He said the facility is used mostly by the Boy Scouts, Girls Scouts, etc. He said many materials were donated initially to this project, they are a non-profit organization. He said the permit allows for a maximum capacity of 100.

Lease for 97 Long Beach: Selectperson Lucas moved that the Board of Selectmen approve and sign a Consent and Acceptance of Assignment and a lease for 97 Long Beach with The Sullivan Long Beach Road Realty Trust to reflect a change of name, seconded by Selectperson Wilkinson, Vote: 5-0.

Lease for 97
Long Beach
Motion Approved

Hawkers' and Peddlers' License for Bruce Gordon: Selectperson Sheedy moved that the Board of Selectmen approve and sign a Hawker's and Peddlers' License for Bruce Gordon to sell balloons and novelties at the Christmas Tree Lighting at Dock Square on December 7, 2013, seconded by Selectperson Wilkinson, Vote: 0-5, motion not approved.

Hawkers' and
Peddler's License
for Bruce Gordon
Motion Denied

Bruce Gordon was present; he said he is a Gloucester resident. B. Gordon said he goes to many communities in the area to do this and he believes it's a plus for the festivity. Selectperson Murphy stated that he is not in favor of this kind of activity at the Tree Lighting ceremony. The Board members were not in favor of adding this to the tree lighting ceremony, though they said it would be welcome at events such as the 4th of July and other events with fireworks.

Winter Parking Ban: Selectperson Wilkinson moved that the Board of Selectmen maintain the Winter Parking Ban contained in the Town of Rockport Traffic Rules and Regulations and change the effective end date from April 15 to April 1 between the hours of midnight to 6:00 am instead of midnight to 7:00 am, seconded by Selectperson Sheedy, Vote: 4-1. Selectperson Murphy abstained. Selectperson Murphy said he would be happy to work with one or two other board members on this. Selectperson Lucas said the board had discussed approaching this in an organized fashion using

Winter Parking
Ban
Motion Approved

available technologies; she is also willing to participate on the task force. It was recommended that Bill Aspesi, Highway Supervisor, should be on the task force too.

Motion to accept
Gift of Zero South
Street
Motion Approved

Zero South Street: Selectperson Murphy moved that the town accept the gift of Zero South Street, (the former Sandpiper Inn property) at the end of South Street, Selectperson Sheedy seconded, Vote: 5-0.

Selectperson Sheedy left the meeting at 8:20 pm.

8:25 Discussion Items

Finance Committee – FY15 Budget:

Members present are: C. Engel, W. Wagner, M. Hughes, F. Hassler, W. Hess, D. Coyne.

It was stated that they're trying to simplify and improve the process for town meeting. The objectives are:

- The Letter be easy to read, the terms be clear and well defined,
- spending and revenue categories in gross numbers,
- clear understanding of the main financial points of the meeting,
- clear revenue categories in addition to expense categories,
- clear description of how the tax rate is determined as well as how it affects individual tax amounts.
- To assist voters in becoming better informed.

- 1) Budget overview
 - a. Same for enterprise funds
 - b. Capital expenditure items
- 2) Operating budget highlights
- 3) Operating and Independent School Revenues
- 4) School Department
- 5) Key financial Decisions for Voters
- 6) Unfunded Pensions and Benefits & Other Future Requirements
- 7) Free Cash
- 8) Stabilization funds
- 9) Your Real Estate Tax Bill
- 10) Budget Uncertainties

Discussion ensued on whether all of the budget detail is necessary to provide at Town Meeting.

T. Arsenian, 95 Granite Street, said the letter is an improvement. He said that residents want to know what the departments are requesting. The cost to print (paper and ink) is negligible; people should have the line item detail so they can review it if they'd like to. He said one article approves the compensation schedules and one appropriates the funds.

Chairperson Battistelli requested that the board have an opportunity to review this information.

W. Hess said the Finance Committee presented tonight to get some general feedback from the Board of Selectmen on this.

Other Business/Announcements: The Asst. to the Town Administration, M. Vieira, stated that more information has been obtained regarding the request for a menorah to be placed in a public location for the holiday period. He stated that the DPW/Public Properties foreman is recommending that it be approved for Barletta Park, due to its size (9' tall, 7' wide, and 230 lbs.) and the fact that it requires electricity.

Other Business/
Announcements

Placing of
Menorah in
Barletta Park

Selectperson Murphy moved to add an action item to tonight's agenda to allow a menorah to be placed at Barletta Park, Selectperson Wilkinson seconded, Vote: 4-0, Selectperson Sheedy left the meeting earlier.

Placing item on
agenda for vote.

Selectperson Murphy moved to allow the placement of a menorah at Barletta Park, not to go beyond 1/2/14, seconded by Selectperson Wilkinson, Vote: 3-1, Selectperson Sheedy left the meeting earlier; Selectperson Lucas opposed.

Motion to place
menorah in
Barletta Park
Motion Approved

Long Beach Leases: The issues of insurance and water pipes were discussed. The Town Administrator said we've learned that the town cannot require the cottage owners to have liability insurance; generally individuals have to own the property. The town doesn't want to cover their property. The requirement for a homeowner's policy requirement is still in the lease.

Long Beach
Leases

The Town Administrator said she spoke with the Operations Supervisor from the DPW, the DPW requested that the date start a few weeks later than 3/15 because they can't get to the pipes; so the occupancy dates will be April 1 through December 1 every year.

9:30 Selectperson Murphy moved to adjourn, seconded by Selectperson Lucas, Vote: 4-0; Selectperson Sheedy left the meeting early; and was not present for the vote.

Warrant signed:

Warrant signed for the Fiscal Year 2014 Payroll and Expenses for the week of 11/29/13 in the amounts of \$492,349.26 and \$990,679.11 respectively.

Items Signed:

On-premise Liquor License, 7th Wave
On-premise Liquor License, Yankee Clipper
On-premise Liquor License, Emerson Inn by the Sea
On-premise Liquor License, Rockport Music
Acceptance of Deed, South Street
Lease for 97 Long Beach
Scout Hall Lease
Eden Road Order of Betterment Assessments